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December 2, 2021

Via ECF

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

**Re: Shaw-Nae Dixon, et al. v. Bill DeBlasio, et al.
Civil Action No. 1:21-cv-05090-BMC
Our File No. 24103**

Dear Judge Cogan:

As Your Honor is aware, this firm represents the plaintiffs in the above referenced matter. Presently, our response to the defendants' Motion to Dismiss is due Wednesday, December 8, 2021, with a reply due 14 days thereafter. With the consent of our adversary, we hereby request an adjournment of the motion with new scheduling dates being January 14, 2022 for our opposition and January 28, 2022 for a reply. We request the adjournment for two reasons: (1) The Appeal of Your Honor's denial for a Motion for Preliminary Injunction remains pending; and (2) my law partner, Clark E. Alpert, Esq., who has been assisting me on this matter, unexpectedly passed away this week, and his funeral was today, such that we lost both my co-counsel on this matter, and a day for briefing.

We also note that the Appeal of Your Honor's denial of our clients' Motion for Preliminary Injunction is ongoing and we do not expect it to be concluded until January at the earliest. We have moved to further expedite the Appeal; however, presently, our reply papers are not due until February 2022. Under the circumstances, we have advised our adversary that we likely will be seeking a stay of this matter pending the outcome of the Appeal. Any such application will be made in a separate letter; however, we wanted to alert the court in advance of the likelihood of such application.

We thank Your Honor for consideration of the above request.

Respectfully yours,

WEINER LAW GROUP LLP

Ronald A. Berutti

By: _____
Ronald A. Berutti
A Member of the Firm

RAB:jm

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